

**AMENDMENTS TO THE CLAIMS**

1. (Previously Presented) A marker particularly valuable to performing invasive surgical procedures, comprising:

a housing in the form of a marking pen; and

a reservoir in the housing that is filled with a substance which, when dispensed through the marking pen, is radiopaque.

2. (Currently Amended) The marking pen of claim 1, wherein the ~~[[ink]]~~ substance is also visible to the human eye.

3. (Original) The marker of claim 1, wherein the substance is capable of marking human skin.

4. (Original) The marker of claim 1, wherein the substance is capable of marking a commercially available surgical film.

5. (Original) The marker of claim 1, wherein the substance includes a metal.

6. (Original) The marker of claim 1, wherein the substance includes a heavy metal.

7. (Original) The marker of claim 1, wherein the substance includes barium.

8. (Original) The marker of claim 1, wherein the substance is primarily a liquid.

9. (Original) The marker of claim 1, wherein the substance is primarily a powder.

10. (Original) The marking pen of claim 1, wherein the substance is erasable.

11. (Original) The marker of claim 1, wherein the substance is biocompatible.

12. (Original) The marker of claim 1, wherein the substance is non-toxic.

13. (Currently Amended) A method of preparing for a surgical procedure, comprising the steps of:

providing the marking pen of claim ~~Figure~~ 1;

indicating an operative site using the marking pen; and

subjecting the site to x-ray exposure for the purpose of comparing the indication to one or more internal structures associated with the procedure.

14. (Original) The method of claim 13, wherein the step of indicating an operative site using the marker includes marking a surgical film.

15. (Canceled)

16. (Original) The method of claim 13, further including the step of erasing the indication if not optimized for the procedure.